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**Attorneys for Plaintiff LODGEPOLE  
INVESTMENTS, LLC**

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

LOGEPOLE INVESTMENTS, LLC, a Nevada limited liability company,

**Plaintiff.**

V<sub>a</sub>

EDWARD GENNADY BARSKY, an individual; ST. TROPEZ CAPITAL, LLC, a California limited liability company; and MONACO DEVELOPMENT, LLC, a California limited liability company,

### Defendants.

Case No. CV 13-00446 NC

**STIPULATION AND [PROPOSED] ORDER  
TO CONTINUE INITIAL CASE  
MANAGEMENT CONFERENCE  
AS MODIFIED**

## The Hon. Nathanael M. Cousins

Current CMC Date: July 10, 2013, at 10:00 a.m.

Proposed CMC Date: August 14, 2013, at 10:00 a.m.

1 Plaintiff Lodgepole Investments, LLC (“Lodgepole Investments”) and Defendant Monaco  
2 Development, LLC (“Monaco”), by and through their undersigned counsel, hereby stipulate as  
3 follows:

4 WHEREAS Lodgepole Investments filed this lawsuit on January 31, 2013;

5 WHEREAS, on January 31, 2013, the Court issued an Order Setting Initial Case

6 Management Conference and ADR Deadlines, and scheduled the Initial Case Management

7 Conference for May 1, 2013, at 10:00 a.m.;

8 WHEREAS, on February 6, 2013, Defendants Edward Gennady Barsky and St. Tropez  
9 Capital, LLC filed a Notice of Automatic Stay of this lawsuit, pursuant to 11 U.S.C. § 362(a) and  
10 based on their filing of voluntary Chapter 11 bankruptcy petitions in the United States Bankruptcy  
11 Court, Central District of California;

12 WHEREAS the automatic stay has no application to the claims brought against Monaco,  
13 which has not filed a bankruptcy petition;

14 WHEREAS, on April 26, 2013, pursuant to the parties’ stipulation, the Court entered an  
15 Order continuing the Initial Case Management Conference to June 5, 2013, at 10:00 a.m., and  
16 continued all other deadlines set forth in the Court’s Order Setting Initial Case Management  
17 Conference (Dkt. No. 7);

18 WHEREAS, on May 30, 2013, pursuant to the parties’ stipulation and in light of the  
19 significant progress made in settlement negotiations by Lodgepole Investments and Defendants,  
20 the Court entered an Order continuing the Initial Case Management Conference to July 10, 2013,  
21 at 10:00 a.m., and continued all other deadlines set forth in the Court’s Order Setting Initial Case  
22 Management Conference (Dkt. No. 9);

23 WHEREAS, Lodgepole Investments and Defendants have reached a settlement in principle  
24 that will fully resolve this action, and are working to finalize the written terms of such settlement;

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PROCTOR

1 NOW THEREFORE, Lodgepole Investments and Monaco hereby stipulate and agree that,  
2 subject to the Court's approval, the Initial Case Management Conference shall be continued to  
3 August 14, 2013, at 3:00 p.m., and that all other deadlines set forth in the Court's Order Setting  
4 Initial Case Management Conference and ADR Deadlines are continued accordingly.

5 DATED: July 8, 2013 Respectfully submitted,

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7 CALDWELL LESLIE & PROCTOR, PC

8  
9 By \_\_\_\_\_ /S/  
10 JEFFREY M. HAMMER  
11 Attorneys for LODGEPOLE INVESTMENTS, LLC

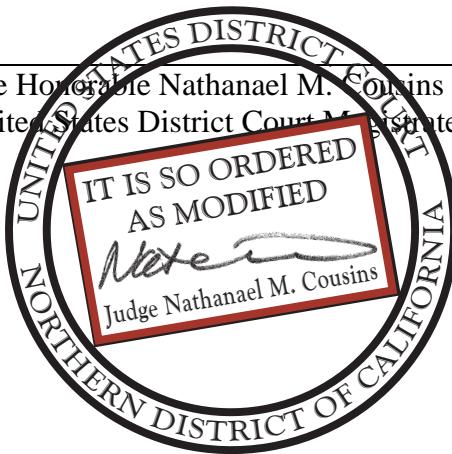
12  
13 DATED: July 8, 2013 Respectfully submitted,

14  
15 By \_\_\_\_\_ /S/  
16 MAKSYM CHERNIAVSKYI, managing  
17 member of MONACO DEVELOPMENT, LLC

18 Parties shall file a joint case management statement and consent or declination by August 7, 2013.  
19 PURSUANT TO STIPULATION, IT IS SO ORDERED. Case Management Conference is  
20 continued to August 14, 2013 at 3:00 p.m.

21 DATED: July 8, 2013

22 The Honorable Nathanael M. Cousins  
23 United States District Court Magistrate Judge



1                   **ATTESTATION PURSUANT TO LOCAL RULE 5-1**

2                   Pursuant to Local Rule 5-1 of the Northern District of California, I attest that concurrence  
3 in the filing of this document has been obtained from each of the other signatory to this document.

4                   DATED: July 8, 2013

5                   Respectfully submitted,

6                   Caldwell Leslie & Proctor, PC

7                   By \_\_\_\_\_ /S/

8                   Jeffrey M. Hammer  
9                   Attorneys for Lodgepole Investments, LLC

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